

**IN UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ROBERT WATKINS

PLAINTIFF

V.

CIVIL ACTION NO. 4:07-CV-91-SA-EMB

BOB SCHMIDT, INC., ET AL.

DEFENDANTS

REPORT AND RECOMMENDATION

Upon further review of the file and record of this action, the undersigned finds an Order [doc. 66] dated February 6, 2008, granted plaintiff's counsel leave to withdraw and granted plaintiff thirty (30) days within which to either retain new counsel or advise the Court in writing of his decision to proceed *pro se*. The deadline for plaintiff's response has passed, and he has yet to notify the Court of his decision. Neither has plaintiff made any request for additional time to comply with the Court's Order. Plaintiff was warned that his failure to comply with the Court's Order could lead to dismissal of his case.

Based on the foregoing, it appears plaintiff has lost interest in this lawsuit, and it should not remain on the Court's docket. Therefore, it is recommended that this action be dismissed for plaintiff's failure to prosecute and for his failure to obey an order of the Court pursuant to FED.R.CIV.P. 41(b).

The parties are referred to Local Rule 72.2(D) for the applicable procedure in the event any party desires to file objections to the findings and recommendations herein contained. The parties are warned that any such objections are required to be in writing and must be filed within ten days of this date. Failure to timely file written objections to the proposed findings,

conclusions and recommendations contained in this report will bar an aggrieved party, except upon grounds of plain error, from attacking on appeal unobjected-to proposed factual findings and legal conclusions accepted by the district court. *Douglass v. United Services Automobile Association*, 79 F.3d 1415 (5th Cir. 1996).

Respectfully submitted this, the 20th day of March, 2008.

/s/ Eugene M. Bogen
U. S. MAGISTRATE JUDGE